GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Municipal Administration & Urban Development Department – Certain allegations leveled against Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality, as he recommended for regularization of a site for construction of Stilt, Ground + Upper floor residential apartment in Plot No.47/2005, T.S.No.37 (P) at A.P.H.B.Colony, 9th Ward, Bhimavaram without following the approved Master Plan roads, which was against the orders issued by the Government in G.O.Ms.No.902, M.A. Department, dated 31.12.2007 - Disciplinary Proceedings instituted under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Enquiry conducted – Penalty of withholding of three (3) Increments of pay with cumulative effect imposed – Orders issued - Appeal filed by Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality – Appeal allowed partially – Reduce the punishment of withholding of three (3) Increments of pay with cumulative effect already imposed to that of withholding of two (2) Annual Grade Increments without cumulative effect - Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 253 **Dated: 18-03-2019.**

Read the following:-

1. Charge Memo. No.3149/2011/M4-1, dated 09.09.2011 of the Director of Town & Country Planning, A.P., Hyderabad.
2. Proceedings Roc.No.3149/2011/M4-2, dated 23.03.2013 of the Director of Town & Country Planning, A.P., Hyderabad.
3. From Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality, Appeal Petition, dated 'NIL'.

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O R D E R:

Whereas, in the reference 1st read above, the Director of Town & Country Planning, A.P., Hyderabad has initiated departmental action against Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality by issuing Articles of Charges against him on the allegations that he had recommended for regularization of a site for construction of Stilt, Ground + Upper floor residential apartment in Plot No.47/2005, T.S.No.37 (P) at A.P.H.B.Colony, 9th Ward, Bhimavaram without following the approved Master Plan roads, which was against the orders issued by the Government in G.O.Ms.No.902, M.A. Department, dated 31.12.2007 and also without considering the joint passages i.e., 9'-0" and 15'-0" wide joint passages as per the registered documents, which was against the L.R.S. Scheme.

2. After following due procedure in terms of A.P.Civil Services (Classification, Control and Appeal) Rules, 1991, the Director of Town & Country Planning, A.P., Hyderabad has issued orders in the reference 2nd read above, imposing the penalty of withholding of three (3) Increments of pay with cumulative effect against the charged officer Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality under Clause (vi) of Rule 9 of A.P.Civil Services (Classification, Control and Appeal) Rules, 1991, as the Enquiry Officer held that, out of four (4) charges, three (3) charges were proved and one (1) charge was not proved in the enquiry against the said charged officer.

3. Whereas, in the reference 3rd read above, the charged officer Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality has filed an Appeal Petition before the Government and stated that a charge memo was issued to him by the Director of Town & Country Planning, A.P., Hyderabad on the allegation of without examining the technical aspects, recommended the proposals for construction of Residential apartment during his tenure at Bhimavaram Municipality. He has submitted his explanation. But, the Director of Town & Country Planning, A.P.,

(P.T.O.)

Hyderabad not considering his explanation has awarded the major punishment of "withholding of three (3) Increments of pay with cumulative effect". He has further stated that he was misleaded by his subordinate and he has recommended and forwarded the proposal to the Director of Town & Country Planning, A.P., Hyderabad in a routine matter, basing on the remarks of his predecessor on the regularization of the plot under L.R.S., without verifying GTP map due to lack of sufficient time and not availability in the Municipality. The action initiated by him is not intentional and requested the authorities to consider his explanation. He has also stated that, leaving the connected person, who made irregular L.R.S. regularization and imposed the punishment against him is totally unjustifiable and requested to allow his appeal petition and drop further action against him.

4. The matter has been examined in detail and a Personal hearing was conducted on 28.02.2019. During the personal hearing, the charged officer Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality has submitted his written representation and stated that, in the instant case, the other charged officer Sri Y.Siva Nageswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality has filed an Appeal Petition before the Government in the year 2015 and the Government have allowed the Appeal Petition and reduced the punishment of "withholding of three (3) annual grade increments with cumulative effect to that of two (2) increments without cumulative effect. He has therefore, requested to do Justice on par with Sri Y.Siva Nageswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality.

5. Government after careful examination of the matter, have decided to allow the Appeal Petition of Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipaity partially, and to reduce the punishment of withholding of three (3) Increments of pay with cumulative effect already imposed to that of withholding of two (2) Annual Grade Increments without cumulative effect against the charged officer Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality, as was done in case of the other charged officer Sri Y.Siva Nageswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality.

6. Accordingly, Government hereby order to reduce the punishment of withholding of three (3) Increments of pay with cumulative effect already imposed to that of withholding of two (2) Annual Grade Increments without cumulative effect against the charged officer Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality.

7. The Director of Town & Country Planning, A.P., Guntur shall take further necessary action in the matter, accordingly.

8. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K.Yagneswara Rao, the then Town Planning Supervisor, Bhimavaram Municipality and presently working as Town Planning Officer, GVMC. Visakhapatnam through the Director of Town & Country Planning, A.P., Guntur.
The Director of Town & Country Planning, A.P., Guntur.

Copy to:

The Commissioner, Bhimavaram Municipality.
The RDDTP., Rajamahendravaram.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER